

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7412**

**BILL NUMBER:** SB 536

**NOTE PREPARED:** Feb 21, 2011

**BILL AMENDED:** Feb 21, 2011

**SUBJECT:** Various Election Law Matters.

**FIRST AUTHOR:** Sen. Lawson C

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) *Active Voter Definition*- The bill amends the definition of "active voter".

*Boards of Registration*- Except for boards of elections and registration in Lake County and Tippecanoe County and the board of registration in Marion County, the bill abolishes all boards of registration on July 1, 2011, and permits a county executive to adopt an order to establish or reestablish a board of registration.

*Voter Registration Applications*- The bill provides that a voter registration application received in person or by mail by the Election Division (ED), or an absentee ballot application received by the ED, is timely filed if the ED receives the application before the deadline established for a county to receive the application. The bill requires the ED to forward the application promptly to the county where the applicant resides.

*Absent Uniformed Services and Overseas Voters*- The bill provides that an absentee ballot application received from an absent uniformed services voter, an overseas voter, or an address confidentiality program participant is valid for the period that ends on December 31 after the filing of the application (rather than 12 months after the date of the application).

*Uncontested Municipal Offices*- The bill provides that uncontested municipal offices are not required to appear on the ballot in a municipal or general election.

*Central Count Absentee Ballots*- The bill requires that all absentee ballots be counted at a central location, unless a county election board (board), by the unanimous vote of the board's entire membership, adopts a resolution to count absentee ballots in the precincts on election day. The bill requires the resolution to state

the board's reasons for having the ballots counted in the precincts.

*Absentee Ballots and Election Day-* The bill provides that a voter who casts an absentee ballot before election day may not vote in person on election day.

*Absentee Votes and Satellite Offices-* The bill provides that one location of the office of the circuit court clerk (clerk) designated by the clerk is the location at which a voter is entitled to cast an absentee ballot before an absentee voter board. The bill establishes the office of the board of elections and registration in Lake County as the location at which a voter is entitled to cast an absentee ballot before an absentee voter board. The bill provides that all other locations at which the clerk or the board of elections and registration has an office must be established as satellite offices in order to be used as locations at which a voter is entitled to cast an absentee ballot before an absentee voter board.

*Vote Center Plans-* The bill requires a vote center plan to include the total number and locations of satellite offices to be established at vote center locations; and (2) provide for at least one vote center to be established as a satellite office on the two Saturdays immediately preceding an election day.

*School Board of East Chicago-* The bill provides for the election rather than the appointment of the members of the school board for the City of East Chicago. It provides for a nine member East Chicago school board, three members elected at large and six members elected from districts that are the same as the city's common council districts, to be elected on a nonpartisan basis beginning at the primary election in 2012. The bill adds certain other provisions concerning the organization of the school board.

*Repealers, Conforming Amendments, & Technical Corrections-* The bill repeals provisions that: (1) have been superseded concerning: (A) an absentee ballot application filed by an absent uniformed services voter or an overseas voter, or (B) the establishment of boards of registration; and (2) allow voters who cast an absentee ballot to vote in person under certain circumstances on election day. The bill makes conforming amendments and technical corrections.

**Effective Date:** Upon passage; December 31, 2010; July 1, 2011.

**Explanation of State Expenditures:** *Voter Registration Applications-* This provision would require the Election Division to forward on absentee voter ballot applications received by the ED to the appropriate county voter registration office. Any additional postage used to forward applications would likely minimally impact ED expenditures.

(Revised) *School Board of East Chicago-* The State Board of Education would be required to establish balloting procedures for the election of all School City of East Chicago (SCEC) governing body members. The Board would be able to carry out this provision within existing resources. The Board typically is scheduled to meet 11 or 12 times per year.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Boards of Registration-* This provision could affect all counties other than Lake, Marion, and Tippecanoe. The impact on local expenditures would depend on local action. Permanent abolishment of a voter registration board would save expenditures for salaries and office space. However, some counties may elect to initially establish a voter registration board, which would increase expenditures in those counties.

*Uncontested Municipal Offices-* This provision may shorten ballots in future municipal elections. Counties with optical scan voting systems may save a minimal amount on printing expenses for shorter ballot cards.

*Absent Uniformed Services and Overseas Voters-* This provision would change the date that a person that is an absentee uniformed service member, overseas, or in the address confidentiality program could apply for an absentee ballot from after November 20 to December 1 in a given year. Absentee ballot applications for these persons would essentially be valid for a year and a month (from December 1 of the prior year through December 31 of a primary, general, or special election year.) County election officials may have to slightly adjust their administrative workload to accommodate this provision.

*Central Count Absentee Ballots-* Unless county election boards unanimously voted to allow precinct count absentee ballots, all counties would have to count absentee ballots at a central location (likely the county election board office). Any additional expenditure would be dependent on county election board action. High population metro counties could require additional voting machines at the central count location in order to process absentee ballots in a timely fashion. Additional machines could be either purchased, rented, existing machines could be shifted out of precincts, or borrowed from other counties.

Those counties that currently do not use absentee ballot counters would have to appoint them. The county election board appoints absentee ballot counters under the county option central count statute. Absentee ballot counters are allowed a per diem as set by the county executive and a mileage allowance as set by the county fiscal body. Additionally, some minor administrative changes would have to be made in counties that do not have central county absentee ballots.

*Absentee Votes and Satellite Offices-* County circuit court clerks and the Lake County election board director would have to have unanimous approval of their county election boards to have more than one physical location for absentee voting in elections after the effective date of the bill. The provision would minimally impact local expenditures.

(Revised) *School Board of East Chicago-* Currently, the School City of East Chicago governing body has five members. The impact to local expenditures would be from the salary, per diem allowance, and other expenses for the additional four members provided under the bill. The Lake County Circuit Court Clerk would see a small increase in administrative time to process candidacy filings for the East Chicago School Board.

*Background:* The board members are currently appointed by the mayor of East Chicago and have staggered terms in a two-one-two format. One term expires on June 30, 2012, one term on June 30, 2011, and two terms expired June 30, 2010.

**Explanation of Local Revenues:**

**State Agencies Affected:** State Board of Education; Election Division.

**Local Agencies Affected:** County election boards, voter registration offices; School City of East Chicago.

**Information Sources:** School City of East Chicago; Department of Education website: [www.doe.state.in.us](http://www.doe.state.in.us).

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